

Application No.: 10/813256
Amendment dated: June 14, 2006
Reply to Office action of May 11, 2006

REMARKS/ARGUMENTS

A telephone interview, granted by Examiner Cozart on June 14, 2006, is sincerely appreciated.

Only claim 1 was discussed. No prior art was discussed. The amendment to claim 1 herein was previously submitted by facsimile to the Examiner on June 5, and has not been changed. The applicant's attorney described the invention and argued that the language of the proposed amendment was supported in the sense of enablement, and sufficiently definite.

In the interview, at the Examiner's request, Applicant's attorney briefly summarized the invention, explaining that a strip of steel, moves along a path on which two dies are located, one being a rough punching die, and the other being a shaving die. A strip inherently deviates from a straight path by a small amount, and the deviation typically results in misalignment of the shaving die with the opening produced by the punching die. As the strip moves from its supply along the path past the dies, it inherently moves in a very slight curve. Ordinarily, as the strip proceeds past the two dies it moves progressively toward the left, or to the right as shown in FIG. 5. In accordance with the invention, the dies are positioned, as shown in FIG. 3, so that they are symmetrically ahead of and behind an intermediate position (designated by the broken vertical line in FIG. 3), and the dies are located so that this intermediate position coincides with a maximum or minimum lateral displacement of the strip with respect to an imaginary line extending along the path of the strip, the

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imaginary line being displaced in the same direction from both dies. In this way, when the strip proceeds past the location of the rough punching die, it moves laterally in one direction through a given distance until it reaches the intermediate location, and then reverses itself, moving laterally in the opposite direction by the same distance so that it becomes properly aligned with the shaving die.

The Examiner had rejected claims 1-5 on the ground that the specification was not enabling with respect to the "same relationship" language previously used in claim 1, and on the ground that the terminology "same relationship" was insufficiently clear. Specifying that the imaginary line is in the same relationship to both dies was considered desirable in order to distinguish the invention from the conventional case in which the strip crosses a centrally located longitudinal line and thereby reaches a "minimum" lateral displacement with respect to that line. Because the Examiner considered the term "same relationship" to be insufficiently clear, the Applicant's attorney proposed the revised language in claim 1 as presented herein.

The revised language "said line being laterally displaced from both said rough punching die and said shaving die in the same direction" is believed to be supported by paragraph 0026, and sufficiently definite to satisfy the requirements of §112.

The Examiner agreed to reconsider claim 1, and stated

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that he wished to consider some non-patent literature before agreeing to allow the application.

The only issue is whether or not the language of claim 1 clearly expresses the relationship between the steel band and the imaginary line.

There is no outstanding prior art rejection, and the amendment responds to the Examiner's requirement for appropriate correction to claim 1. Thus, the amendment does not touch the merits, and essentially responds to a requirement of form. This is therefore a proper case for entry of the amendment under 37 C.F.R. §1.116, and entry of the amendment and allowance of the application are respectfully requested.

Respectfully submitted,
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